

EXHIBIT 12

PO-15B SUPPLEMENTARY REPORT MILWAUKEE POLICE DEPARTMENT		Date of Report 10-27-95	Incident/Accident # 95-66895 (M3084)
INCIDENT		Date of Incident/Accident	Rep. Code #
HOMICIDE		08-30-95	
VICTIM		LOCATION OF INCIDENT	DIST
PAYNE, Jessica		3116 N. 7th St.	5
JUVENILE Last Name	First	Middle	Date of Birth
QUANT	TYPE OF PROPERTY	DESCRIPTION	SERIAL # CODE # VALUE

On Friday, 10-27-95, about 12:30 p.m., we, Detective Carl BUSCHMANN and Detective James DEVALKENAERE, were contacted by the city jail that Sam HADAWAY requested to talk to detectives regarding his arrest and wanted to make a statement. This information was received by P.O. Jack DEERING who in turn contacted the Criminal Investigation Bureau.

On Friday, 10-27-95, at 2:00 p.m., while in Room 413 of the CIB, Sam HADAWAY was advised of his Constitutional Rights "Miranda Warnings" by way of him reading them out loud from a photocopy of a card prepared by the State of Wisconsin Department of Justice. After reading his rights, HADAWAY stated he understood his rights, had no questions regarding them, and was willing to answer questions without an attorney being present. HADAWAY then affixed his signature by an "X" indicating that this was true.

Regarding the homicide of Jessica PAYNE (M3084) which occurred on 08-30-95, at 3116 N. 7th St., HADAWAY provided the following statement.

HADAWAY stated it was about one and one-half months ago on a weekend, unknown if it was a Friday, Saturday, or Sunday, at about 11:45 p.m. to 12:00 a.m., he saw a white female, 17-18 years of age, taller than himself, slim build, having collar length dark straight hair-HADAWAY then identified a Polaroid photo of the victim, Jessica PAYNE, as being this girl. The girl was by herself and was walking on the south side of W. Galena St. west from N. 19th St. He states he was up on his front porch (1931 W. Galena St.) rolling dice with Chaunte, Tyrone EDWARDS (sister's boyfriend) and about five to six other people. He stated that Cortez was standing on his Cortez's sister's steps which is the house just to the west of his (HADAWAY). The girl came up to them and said, "I'm

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not from here, I'm lost" and said she wanted to go somewhere on W. Keefe Ave. but he doesn't recall exactly where. Everyone on the porch said to her, "you're a long way from there", and pointed in the direction of W. Walnut St.

The girl stayed for a few minutes and then walked back east towards N. 19th St. The girl appeared to be kind of drunk and stated that she was at a party and her friend left her. After about five to ten minutes later the girl returned and this time she was with a black male. They didn't stop and continued on towards N. 20th St. HADAWAY states that he now recalls that as she was leaving the first time someone from the group said, "you all should have robbed her". HADAWAY stated he replied, "ya we should have", in a joking manner.

When the girl and the black male walked by, he, HADAWAY, went into the house and used the bathroom. When he returned outside he saw that it was 12:45 a.m. and thought, "damn I need another drink". The oldest one there was "Tae" (Chaunte OTTS) and as he looked he saw "Tae" walking with the white girl through the Sentry parking lot. He yelled, "hey 'Tae' come here", and "Tae" shouted, "you bring your ass to me". HADAWAY ran to him and asked him to get him a drink and "Tae" said, "we're fittin' to get some weed". HADAWAY said, "cool", and walked off with them.

While walking towards W. Walnut St., Cortez pulled up in a Buick, 4-door, possibly a 1973 to 1974, possibly green or brown in color, with gray primer around the wheel wells on the driver's side. When Cortez pulled up he asked where they were going and they told him, "we're going to get some weed". Cortez said, "I'll take you there", at which time, he, HADAWAY, got in on the front passenger side and the girl got in the back with "Tae" with "Tae" next to the right passenger door. Cortez drove them to N. 26th St. and W. Lloyd St., at which time, "Tae" gave HADAWAY the money and HADAWAY went and bought a dime bag of weed. From there they drove

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to the gas station on N. 27th St. and W. Lisbon Ave. and bought some blunt cigars. They drove around in Cortez's car and went to the east side while they smoked the weed.

After about fifteen to twenty minutes of driving he, HADAWAY, told "Tae" to roll a blunt and "Tae" told him, "fuck you, do it yourself". HADAWAY states he couldn't as he has a bad left hand. HADAWAY told "Tae", "fuck you" and Cortez said, "fuck it, I'll do it". Cortez then pulled the car over on N. 7th St. from W. Burleigh St. Cortez pulled the car over on the right side between the second and third house from the northeast corner of N. 7th St. and W. Burleigh St. The third house was vacant and boarded up, he believes it was green in color. Cortez started rolling a blunt. They all stayed in the car and smoked the blunt. When they were just about finished with the blunt "Tae" said, "fuck this", and got out of the car and the girl followed him out. HADAWAY asked, "where you all going", and "Tae" said, "come on" and motioned with his hand. Cortez was still smoking a roach and stayed in the car.

They then walked between the vacant house and the second house with "Tae" and the girl walking all hugged up ahead of him. When "Tae" and the girl got towards the back of the house he heard the girl saying, "stop". He thought "Tae" was just feeling on her. She then yelled, "stop", at which time, he saw "Tae" feeling on her pockets. HADAWAY thought back to what was said earlier about robbing her and thought, "damn, he's really doing it".

"Tae" was hitting the girl in the face numerous times with the back of his hand. The girl was fighting back hitting him in the chest and face and kicking him. While this was going on "Tae" had the girl up against the back of the vacant house. At one point he heard "Tae" yell, "you stupid bitch", and hit her again in the face. "Tae" said to her, "you're giving up something", which to him meant that if she didn't have any money he was going to rape her. She kept yelling, "stop, stop". He thought this was getting

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serious, at which time, he told "Tae" to stop. "Tae" said, "you want some?" like he was going to fight him too. During the struggle, "Tae" and the girl moved over to where a mattress, or possibly two mattresses, were laying. "Tae" threw her down on the mattress and she landed on her side. "Tae" got on top of the girl. He had her hands pinned over her head and "Tae" was trying to get his legs between hers. HADAWAY then noticed that her shirt was coming up and he, "Tae", began to pull her pants down. While "Tae" was pulling the pants down with one hand he held on to one of her hands. The girl was still fighting, hitting "Tae" with her free hand and kicking. The girl was screaming, "stop mother fucker".

HADAWAY stated that he was nervously pacing telling "Tae", "let's go". "Tae" told him, "if you don't like what I'm doing, take your bitch ass home". HADAWAY was fittin' to leave but then went back to "Tae" and said, "come on man let's go". When he turned back around there was silence. He turned to look, at which time, "Tae" was getting off her. When he, "Tae", got up HADAWAY saw blood on her throat and shirt and she was coughing and twitching. HADAWAY told "Tae", "you're sick man, really sick". He then started walking towards the car, at which time, "Tae" said, "wait a minute", and then ran back to the rear of the house. "Tae" was in the rear yard for about ten minutes while HADAWAY leaned on the hood of the car waiting.

After about ten minutes, while HADAWAY was getting into the car "Tae" came running out of the yard. When he, HADAWAY, got into the car Cortez asked, "where's the white girl at". HADAWAY then motioned with his hands across his neck stating, "shhh", as "Tae" was coming. "Tae" got in the back seat. Cortez asked again, "what happened to the white bitch". HADAWAY stated to Cortez, "I think he killed her". "Tae" then hit the seat and said, "quiet" and then said, "drive". HADAWAY said to Cortez, "never mind".

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While driving Cortez kept asking about the girl and "Tae" said, "the bitch is all right". Cortez then drove to his (Cortez's) aunties house on N. 24th St. and W. Locust St. All three of them went into the house and "Tae" asked to use the bathroom. He stated he didn't notice any blood on "Tae's" hands or clothing but saw dirt on his pants knees. They stayed for about five minutes, at which time, he told Cortez that he wanted to go home. Cortez then drove he and "Tae" over to his, HADAWAY'S, house and left.

HADAWAY stated as he was about to go inside "Tae" said he was going to his sister's house which is on N. 27th St. and W. State St. When he got out of Cortez's car "Tae" said, "remember, nothing happened or something will happen to you". Two days later HADAWAY heard from his sister, Tasha HADAWAY and brother-in-law, Tyrone EDWARDS, that the white girl that was on their front porch was found dead.

Last week Thursday or Friday (October 19th or 20th) is when he first saw Cortez since the incident. He told Cortez, "remember that girl we were with, they found her body dead".

HADAWAY stated that when the incident occurred he didn't see "Tae" with a knife, however, he knows "Tae" to carry a silver box cutter on him as "Tae" works at a liquor store and uses it to cut open boxes. The night of the incident "Tae" had worked earlier and usually carries a box cutter with him when he leaves work.

At the time of the incident "Tae" was wearing a black and white zipper front nylon jacket which after the murder he took off while inside the car. The jacket may have had blood on it but he could not tell. Prior to the murder "Tae" wore this jacket frequently but since the murder he has not worn it.

HADAWAY denies having any sexual contact, physical contact, or involvement in the death of Jessica PAYNE. He thought they were just going to rob her.

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At the completion of this statement, I, Detective Carl BUSCHMANN, read the entire statement out loud to Sam HADAWAY afterwhich time he agreed that the above statement was true and correct. Any corrections and crossouts were made known to him, at which time, he affixed his initials "S.H." alongside my own initials, "C.B." indicating that he was fully aware of these corrections.

After the complete reading of the statement, HADAWAY then wrote in his own printing, I have had the above statement read to me and it is true. HADAWAY then affixed his signature after this sentence and dated it 10-27-95.

HADAWAY then skipped a line and proceeded to write in his own printing: am sorry it had to turn out this way and am sorry I had to lie the first two days but it came to me too tell the truth and now am here. He then affixed his signature again after this sentence and the interview was terminated at 4:25 p.m.

It should further be noted that HADAWAY placed his initials in the lower right hand corner of the first five pages of the statement indicating that these pages had been read to him in their entirety and that they were true and correct.

During the course of the interview, HADAWAY requested and was provided with two cans of orange soda.

The entire statement was witnessed by Detective James DEVALKENAERE.

During the course of the interview, HADAWAY drew a diagram of the scene indicating where the incident had occurred and also affixed his signature to this diagram indicating that it was a true and correct representation of how he recalls the scene.

Report dictated by: Detective Carl BUSCHMANN.

CB/skv 10-27-95

REPORTING OFFICER	PAYROLL #	LOC. CODE	SUPERVISOR SIGNATURE
Detective Carl BUSCHMANN	42811	91	

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